

1 JASON M. FRIERSON
2 United States Attorney
3 Nevada Bar No. 7709
4 DANIEL R. SCHIESS
5 Assistant United States Attorney
6 Nevada Bar No. 5483
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
Tel: (702) 388-6336
Fax: (702) 388-6418
dan.schiess@usdoj.gov

7 *Representing the United States of America*

8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 **United States of America,**

Case No. 2:21-cr-00219-APG-DJA

12 **Plaintiff,**

Government's Third Notice of Expert
Testimony – ATF SA Roger Martin

13 **v.**

14 **Joshua A. Martinez,**

15 **Defendant.**

16
17 **CERTIFICATION: This notice is timely filed.**

18 The United States provides notice of intent to offer in its-case-in-chief the expert
19 testimony of Bureau of Alcohol, Tobacco, Firearms, and Explosives Special Agent Robert
20 Martin. He will testify to this opinion and the bases and reasons for his opinion that the
21 firearms and ammunition identified in his Reports of Investigation (Attachments A-C)
22 were manufactured outside the state of Nevada.

23 Federal Rule of Criminal Procedure 16(a)(1)(G) requires the government to provide
24 notice of expert testimony. The notice must provide following information:

- a complete statement of the witness' opinions,
- the bases and reasons for the opinions,
- the witness' qualifications, and
- a list of all other cases in which the witness has testified during the past four years as an expert at trial or by deposition.

Fed.R.Crim.P. 16(a)(1)(G)(i) and (iii). The rule also requires the witness to approve and sign the disclosure, unless the government has previously provided a report of examination, signed by the witness, that contains all the opinions and the bases and reasons for opinions as required by the rule. Fed.R.Crim.P. 16(a)(1)(G)(v).

To comply with the rule, the United States provides three Reports of Investigation, each signed by Agent Martin and each previously provided to the defense. (Attachments A-C). Attachment A also contains Agent Martin's statement of qualifications. Agent Martin has not testified about the subject matter of his expertise referenced herein at a trial or in the grand jury during the last four years.

The United States reserves the right to supplement this notice as needed.

JASON M. FRIERSON
United States Attorney

Daniel R. Schiess

DANIEL R. SCHIESS
Assistant United States Attorney